

**UNITED STATES DISTRICT COURT  
PROBATION OFFICE  
DISTRICT OF NEW JERSEY**

**SUSAN M. SMALLEY**  
CHIEF U.S. PROBATION OFFICER

November 24, 2020

**U.S. COURTHOUSE  
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Honorable Claire C. Cecchi  
United States District Judge  
Martin Luther King Jr. Federal Building & Courthouse  
PO Box 0999  
Newark, New Jersey 07102-0999

**RE: Queen, David  
Dkt. # 12-00684-001  
Request to Dismiss Violation of  
Supervised Release Petition**

Dear Judge Cecchi:

On July 24, 2013, the Honorable Faith S. Hochberg, United States District Court Judge, sentenced the above-named to 63 months imprisonment followed by three years of supervised release for Possession of a Weapon by a Convicted Felon. Queen was ordered to pay a \$100 special assessment and abide by the following special conditions: 1) alcohol/drug testing and treatment; 2) DNA collection. On September 20, 2017, the term of supervision commenced and on June 22, 2018, the case was reassigned to Your Honor.

On February 22, 2019, Your Honor signed a Petition for Summons (Probation Form 12C) initiating violation proceedings and scheduled violation of supervised release hearing on April 17, 2019.

On April 17, 2019, Queen appeared before Your Honor on a violation of supervised release. Due to his providing a urine sample that was positive for methamphetamines, cannabinoids, fentanyl, opiates and oxycodone, he was detained on a probation warrant in Court on this date.

On April 24, 2019, Queen appeared before the Honorable Michael Hammer for an initial appearance. As a condition of bail release, he was ordered to remain in custody pending placement into a short-term inpatient treatment program. It was further ordered that after his completion of the inpatient treatment program he be placed on location monitoring pending his violation of supervised release hearing date.

On April 25, 2019, Queen entered a short-term inpatient treatment at Turning Point in Paterson, New Jersey. On May 23, 2019, he successfully completed inpatient treatment and was placed on location monitoring. Queen then transitioned to substance abuse, intensive outpatient treatment program at Trinitas Hospital in Elizabeth, New Jersey and successfully completed the program on January 9, 2020.

On May 2, 2019, Your Honor signed an amended Petition for Summons (Probation Form 12C) that included additional violation charges.

On February 21, 2020, the Honorable Michael A. Hammer signed an order modifying the conditions of release, removing home detention and electronic monitoring as conditions of release. Your Honor adjourned the violation of supervised release, pending the resolution of the state charges. The charges he incurred on August 11 and August 16, 2018, were ultimately both dismissed. The charges received on

December 11, 2018, were downgraded to a local ordinance violation to which he pled guilty. Since these arrests, Queen has not incurred any new charges.

Queen is residing with his family in Roselle, New Jersey. Since completing substance abuse treatment, he did not submit any positive drug screens and maintained his sobriety. Prior to the national pandemic, Queen was employed full time at D'Artagnan in Union, New Jersey. He reported he was laid off and remained home caring for several family members who contracted Covid-19. He further reported he was assisting his children with virtual learning. He has maintained an overall compliance with the conditions of supervised release. Queen is responsive and cooperative with the probation office.

As a result of his continued compliance and progress; we are respectfully requesting to dismiss the pending violation of supervised release petition and to allow the case to expire as originally scheduled on October 19, 2020.

If Your Honor has any questions or would prefer an alternative course of action, please contact the undersigned officer at 973-634-4707.

Respectfully submitted,

SUSAN M. SMALLEY, Chief  
U.S. Probation Officer

*Shannan DaSilva*  
By: Shannan DaSilva  
U.S. Probation Officer

/sd

APPROVED:

*Elisa Martinez* *11/24/2020*  
ELISA MARTINEZ Date  
Supervising U.S. Probation Officer

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***Please check a box below to indicate the Court's direction regarding action to be taken in this case:***

- ☒ Dismiss Violation of Supervised release petition signed on May 2, 2019 and allow case to expire as originally scheduled on October 19, 2020 (**as recommended by the Probation Office**).
- ☐ Violation of supervised release hearing be scheduled on: \_\_\_\_\_
- ☐ Other
- ☐



Signature of Judicial Officer

11/25/2020

Date